

ORDINANCE NO. 80-4

AN ORDINANCE AMENDING THE ZONING CODE OF PALM BEACH COUNTY, ORDINANCE NO. 73-2, AS AMENDED; AMENDING SUB-SECTION 500.21D, SPECIAL DEFINITIONS (P.U.D.), CREATING A DEFINITION OF "BUFFER"; AMENDING SUBSECTION 500.21K, PROPERTY DEVELOPMENT REGULATIONS FOR PLANNED UNIT DEVELOPMENTS - RESIDENTIAL USES; AMENDING SUBSECTION 500.21L, PROPERTY DEVELOPMENT REGULATIONS FOR PLANNED UNIT DEVELOPMENTS - COMMERCIAL USE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Ordinance No. 73-2, as amended, known as the Palm Beach County Zoning Code, is hereby amended as follows:

SECTION 1. Subsection 500.21D, "Special Definitions" (P.U.D.) of Ordinance 73-2, as amended, is amended by adding the following in alphabetical order:

BUFFER: A landscaped area along the perimeter of a Planned Unit Development (P.U.D.), set aside to minimize the impact of the P.U.D. on adjacent lands, and to minimize the effect of adverse adjacent land uses on the residents of the P.U.D. No structures or active land uses, except as hereinafter provided, shall be permitted within required buffer areas which shall be shown on the Master Plan, and on all applicable site plans and plats.

SECTION 2. Subsection 500.21K.1 of Ordinance 73-2, as amended, is amended to read as follows:

1. Minimum Yard Setback Requirements.

All buildings and structures shall observe comply with the following regulations governing setbacks and yard areas. The distances stated below apply both to the proximity of one building to another as well as to the property line. All developments shall be required to have a buffer area at least ~~fifty~~-(50)-feet twenty-five (25) feet wide adjacent to and

Coding: Words in ~~strike-through-type~~ are deletions from existing law; words in *italics* are additions.

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completely around the boundary of the P.U.D. site.

All setbacks shall be measured from the inside edge of the required buffer area. However, a buffer of twenty-five (25) feet will be allowed if the remaining twenty-five (25) feet is added to the interior of the project as open space.

The required buffer area may be made a part of single family attached or patio house design lots. However, these lots must meet the minimum standards for such lots, exclusive of the buffer area. Native vegetation within required buffer areas shall be preserved, where possible, and the installation of supplemental planting is encouraged. Pedestrian paths, bicycle trails or other low intensity recreational uses may be permitted within buffer areas, if shown on the approved Master Plan. No buffer shall be required for single family detached design lots meeting the standards of Section 500.21.K.4.a. If the boundary of the proposed P.U.D. abuts an existing canal right-of-way equal to or greater than fifty (50) feet in width, the required buffer area may be omitted. In areas where the P.U.D. is located contiguous to a local or collector street whereby the existing land use abutting same is consistent with the subject design proposal, the perimeter buffer may be waived by approval of the Site Plan Review Committee.

SETBACKS/YARDS BY NUMBER OF RESIDENTIAL FLOORS IN FEET

	<u>1-2</u>	<u>3-5</u>	<u>6-7</u>	<u>8 or Above</u>
Front	25	30	35	40
Side (Interior)	15	35	35	40
Side (Corner)	25	30	35	40
Rear	25	35	40	40

SECTION 3. Subsection 500.21L6 of Ordinance 73-2, as amended, is amended to add the following in alphabetical order:

j. Buffer

(See Section 500.21, Subsection K1.)

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SECTION 4. Repeal of Laws in Conflict. All local laws and Ordinances applying to Palm Beach County in conflict with any provisions of this Ordinance are hereby repealed.

SECTION 5. Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remainder of this Ordinance.

SECTION 6. Inclusion in Code. The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "Ordinance" may be changed to "Section", "Article" or other appropriate word.

SECTION 7. Effective Date. The provisions of this Ordinance shall become effective upon receipt of acknowledgement by the Secretary of State, State of Florida.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on the 8th day of April, 1980.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: Levi P. Kellum
Chairman

Acknowledgement by the Department of State of the State of Florida, on this, the 15th day of April, 1980.

EFFECTIVE DATE: Acknowledgement from the Department of State received on the 17th day of April, 1980, at 1:31 P.M., and filed in the office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: John E. Dugan
County Attorney